

Date of Decision:23.11.1995

FOR APPROVAL AND SIGNATURE

THE HON'BLE MR. JUSTICE N N MATHUR

1. Whether Reporters of local papers may be allowed to the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder ?
5. Whether it is to be circulated to the Civil Judge ?

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Mr P R Abhichandani, Advocate for the petitioner

CORAM ; N N MATHUR, J.
(November 23, 1995)

ORAL JUDGMENT

The say of the petitioner in this Special Civil Application is that he is a displaced person being migrated from Pakistan in 1947. He is carrying on small business of pan, beedi, masala and cool drinks in his rekdi in the City of Jamnagar for the last more than 15-20 years. He is also paying rent to the Municipal Corporation.

2. The grievance of the petitioner is that the respondents are evicting the petitioner in an arbitrary and unjust manner. It is also stated that in pursuance of the directions of the Hon'ble Supreme Court, a scheme has been formulated for the hawking and non-hawking zones, but the petitioner has not been given the benefit of the said scheme.

3. In spite of notice, none has appeared on behalf of the Jamnagar Municipal Corporation.

4. Considering the facts of the case, the respondent-Municipal Corporation is directed to consider the petitioner's case, if appropriate representation is made within a period of one month from today. If such representation is made, the same shall be disposed of within a period of two months thereafter. It is expected of the respondent-Municipal Corporation that the petitioner's representation shall be considered sympathetically.

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